

Renée Welze Livingston – 124280
 Crystal L. Van Der Putten – 227262
 LIVINGSTON LAW FIRM
 A Professional Corporation
 1600 South Main Street, Suite 280
 Walnut Creek, CA 94596
 Tel: (925) 952-9880
 Fax: (925) 952-9881

Attorneys for Plaintiff
 METROPOLITAN LIFE INSURANCE COMPANY

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

METROPOLITAN LIFE INSURANCE
 COMPANY,

Plaintiff,

vs.

DONNA DOMINO and DOES 1-20,
 inclusive,

Defendants.

Case No. C08-02710 MEJ

**STIPULATION AND REQUEST TO
 EXTEND MEDIATION DEADLINE AND
~~PROPOSED~~ ORDER EXTENDING THE
 MEDIATION DEADLINE TO MAY 19,
 2009**

Complaint Filed: 05/29/08

The parties in the above-referenced matter agreed and stipulated to engage in mediation per their Stipulation Selecting ADR Process filed with the Court on December 10, 2008. On December 12, 2008 this Court referred the parties to the ADR Program Office for mediation. The current mediation deadline is March 20, 2009.

The parties recently scheduled mediation for March 9, 2009 with Hon. Suzanne Nusbaum. However, on February 26, 2009 the parties cancelled the mediation because the parties are currently engaged in discussions to resolve the above-captioned matter and are hopeful that the matter will be resolved without resort to mediation. Defendant is completing certain forms to help plaintiff evaluate its claim against defendant, however, it is unlikely the parties will complete their discussions and resolve all details prior to the current mediation deadline.

The parties respectfully request that the Court extend the current mediation deadline 60

1 days and set a new mediation deadline of May 19, 2009. This will give the parties time to
2 complete the necessary details and, if resolution is not reached, will give the parties time to
3 reschedule mediation with Judge Nusbaum. Such extension will not affect any other deadlines in
4 this case as no other deadlines currently exist.

5 This stipulation may be executed in counterparts and facsimile signatures will be binding
6 as though they were originals.

7 **SO AGREED AND STIPULATED.**

8 Dated: February 27, 2009

LIVINGSTON LAW FIRM

9
10 By: 

Renée Welze Livingston
Crystal L. Van Der Putten
Attorneys for Plaintiff
METROPOLITAN LIFE INSURANCE
COMPANY

11
12
13
14
15 Dated: 2-28-09

16 By: 

Donna Domino
In Pro Per

17
18
19
20
21 **~~[PROPOSED]~~ ORDER**

22 PURSUANT TO STIPULATION, IT IS SO ORDERED that the new mediation deadline
23 is May 19, 2009.

24 Dated: March 5, 2009

25
26 
27 Magistrate Judge
28

PROOF OF SERVICE

I, the undersigned, hereby declare that I am over the age of eighteen years and not a party to the within action. I am readily familiar with this firm's business practice for collection and processing of documents for mailing with the U.S. Postal Service. My business address is 1600 South Main Street, Suite 280, Walnut Creek, California 94596. On March 4, 2009, I served the following document(s):

**STIPULATION AND REQUEST TO EXTEND MEDIATION DEADLINE AND
[PROPOSED] ORDER EXTENDING THE MEDIATION DEADLINE TO MAY 19,**

2009

upon the following at the address(es) stated below:

Donna Domino
24 Oak Crest Drive
San Rafael, CA 94903

Service was accomplished as follows:

✓ **BY US MAIL, According to Normal Business Practices.** On the above date, at my place of business at the above address, I sealed the above document(s) in an envelope addressed to the above, and I placed that sealed envelope for collection and mailing following ordinary business practices, for deposit with the U.S. Postal Service. I am readily familiar with the business practice at my place of business for the collection and processing of correspondence for mailing with the U.S. Postal Service. Correspondence so collected and processed is deposited with the U.S. Postal Service the same day in the ordinary course of business, postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on March 4, 2009, at Walnut Creek, California.


LYNETTE SAPP